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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   UNITED STATES OF AMERICA,                 )  
9   )  
10                  Plaintiff,                                     ) Case No. CR08-5434  
11                  v.   )  
12                  )  
13                  ALBERT HILL,                                 )  
14                  )  
15                  Defendants.                                 )  
16                  )  
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18                  Offenses charged:

19                  Driving Under the Influence, turn without signal and unsafe start of motor vehicle.

20                  Detention Hearing: November 7, 2008.

21                  The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and  
22                  based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
23                  that no condition or combination of conditions which the defendant can meet will reasonably  
24                  assure the appearance of the defendant as required and the safety of any other person and the  
25                  community.

26                   **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

27                  (1)      On June 18, 2008, defendant was released on bond and placed on U.S. Pretrial  
28                  supervision with special conditions. In a petition dated October 29, 2008, U.S. Pretrial Services  
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1 requested a warrant for defendant's arrest on the grounds that defendant had violated the  
2 following conditions of supervision:

3       a. Failing to submit to drug/alcohol testing on September 24, 2008 and October 10, 21 and  
4 23, 2008.

5       b. Committing the offenses of larceny, assault and drunk and disorderly conduct at the  
6 Gateway Shopette on Fort Lewis on October 21, 2008.

7       c. Consuming alcohol on October 14 and October 21, 2008.

8           (2) Defendant was advised of his rights to an evidentiary hearing. Defendant waived his  
9 rights to a hearing and admitted all three violations.

10           (3) The United States requested defendant's appearance bond be revoked and that defendant  
11 be detained. Defendant by counsel argued for release in order. Based on the arguments of the  
12 parties, the information contained in the U.S. Pretrial Violation report and the record in this case,  
13 the Court revoked defendant's appearance bond.

14       It is therefore ORDERED:

15           (1) Defendant shall be detained pending trial and committed to the custody of the  
16 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
17 from persons awaiting or serving sentences, or being held in custody pending appeal;

18           (2) Defendant shall be afforded reasonable opportunity for private consultation with  
19 counsel;

20           (3) On order of a court of the United States or on request of an attorney for the  
21 Government, the person in charge of the correctional facility in which defendant is confined shall  
22 deliver the defendant to a United States Marshal for the purpose of an appearance in connection  
23 with a court proceeding; and

1                     (4) The clerk shall direct copies of this order to counsel for the United States, to counsel  
2 for the defendant, to the United States Marshall, and to the United States Pretrial Services Officer.

3                     DATED this 7<sup>th</sup> day of November, 2008.

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6                     BRIAN A. TSUCHIDA  
7                     United States Magistrate Judge  
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